

# **BURNS TO ANSWER CONTEMPT CHARGE**

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Following the  
Testimony of  
Annie Maud Carter,  
Detec-  
tive Is Ordered to  
Appear

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# Before Judge Hill Tuesday.

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Detective William J. Burns has been cited by Judge Ben Hill to appear before him next Tuesday morning at 10 o'clock and show why he should not be adjudged in contempt of Court for sending Annie Maud Carter, the Negro witness, out of the jurisdiction of the Court.

Dan S. Lehon, Burns' chief aide, has been cited to appear at the same time. This action came at the close of the examination Saturday morning of the Carter woman by Solicitor Dorsey before Judge Hill.

A Rule Nisi was issued against Burns and Lehon. Burns is now in New York. Lehon is still in the city under \$1,000 bond for appearance before the grand jury when it takes up next week the bribery and coercion charges in the Frank case.

The Carter woman was brought into Court Saturday morning to explain her tour of the country immediately after signing the sensational affidavit for the defense, accusing Jim Conley of confessing Mary Phagan's murder.

When she told Judge Hill that she had been sent away from Atlanta under direction of Detectives Burns and Lehon, and that, on one occasion, she had been supplied with \$5 pocket money, the Rule Nisi was issued.

Two attorneys appeared in Court to represent the Negress. One was Tillou von Nunes, and the other George Gordon. When asked by the judge who was her counsel, the woman pointed out Nunes. Mr. Gordon stated to the Court that he had been employed to represent the woman by Isaac Haas.

Under examination of Judge Hill, the Carter woman told of being conducted on her tour part of the way by a man known as "White," who carried her to New Orleans. In New Orleans she met a Negro operative of the Burns agency.

She said that the start of the trip was made from Atlanta to Union City in an automobile in company with Detective Lehon. She also visited Montgomery and Chicago on the trip, she stated, seeing Attorney Herbert Haas in Montgomery. She denied, however, that Haas had supplied her with money in the Alabama city.

The Carter woman is being held under bond of \$3,000, which was raised from an original amount of \$300 in a case against her that was pending in the Courts before her connection with the famous Frank case.

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**JUDGE WILL  
NOT**

**GIVE AN  
OPINION**

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# At First It Was Stated Judge Hill Might Send a Written Opinion on the Frank Case.

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Judge Hill will not write an opinion when he certifies to the bill of exceptions which will be presented before the supreme Court in the appeal of Leo Frank's counsel for a new trial. This was stated last night to a reporter for *The Constitution* by Judge Hill over the telephone.

"I do not want to put myself in the light of advocating an adverse decision from the supreme Court, and will therefore not write the remarks," he said.

Judge Hill had stated when first requested to certify to the exceptions bill that he would probably add a written opinion on the motion.

The bill of exceptions will be presented to Judge Hill during the early part of this week. As soon as it is put in proper shape it will be carried right on to the supreme Court. Judge Hill signed the grounds contained in the retrial motion Saturday at a conference with attorneys for the defense.

Detective William J. Burns will not appear before Judge Ben Hill in answer to the Rule Nisi issued against him yesterday, according to reports from New York, where it is stated that the noted sleuth's wife is critically ill.

His principal aide, Dan S. Lehon, will be in Court with counsel to make the required showing that he and his chief were not in contempt of Court when they dispatched Annie Maud Carter from the jurisdiction of Fulton Court.

Burns has employed counsel in Judge Arthur Powell. Judge Powell stated to a reporter for *The Constitution* last night that they would make a strong show before Judge Hill, and that they would endeavor to make manifest that they were not in contempt when they removed the Carter woman to New Orleans and other points.